

**STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER**

In the Matter of

**Cascade Title Company of Benton
Franklin Counties,**

Licensee.

Order No. 15-0198

WAOIC No. 161652

FEIN 91-1732146

**CONSENT ORDER LEVYING
A FINE**

This Consent Order Levying a Fine ("Order") is entered into by the Insurance Commissioner of the state of Washington ("Insurance Commissioner"), acting pursuant to the authority set forth in RCW 48.02.060, RCW 48.17.530 and RCW 48.17.560 and Licensee Cascade Title Company of Benton Franklin Counties. This Order is a public record and will be disseminated pursuant to Title 48 RCW and the Insurance Commissioner's policies and procedures.

BASIS:

1. Cascade Title Company of Benton Franklin Counties ("the Licensee") is a title insurance agent licensed to do business in the state of Washington since January 10, 2000.

2. The Office of the Insurance Commissioner received a complaint from a competitor of the Licensee who stated that the Licensee co-sponsored a Community Service Day event on June 5, 2015, by providing a lunch for employees of Windermere Real Estate at the Windermere office location in the Tri Cities area. The competitor had been approached by Windermere to provide a lunch or labor in serving lunch to Windermere employees on their community service day. The competitor declined, as it would be a violation of WAC 284-29-260(1)(a). As a result, the competitor says that it was hurt in its business relationship with Windermere.

3. During the Insurance Commissioner's investigation, Pat Doherty ("Doherty"), Licensee's designated responsible person, confirmed that the Licensee was asked by

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PO Box 40255
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representatives of Windermere to pay the cost of a lunch for 60 Windermere employees.

Doherty agreed to pay \$331.23 to the vendor, Between the Buns, for the cost of the lunch and \$49.68 as a tip for a total payment of \$380.91. He received the bill and paid with a credit card himself, and provided a receipt from the vendor to corroborate this information. Doherty said he believed paying for the lunch was consistent with regulations which allowed payment up to \$100 per year for meals. Doherty said that the Licensee did not participate in any arrangements for the event nor provide any labor. He also said that the purpose of the payment was to thank Windermere for their volunteer work with the community, and was unaware if there was any business discussed between his employees and Windermere agents at the event.

4. WAC 284-29-260(1)(a) states that a title company must not cosponsor, subsidize, or contribute fees, prizes, gifts, or things of value for a promotional function or activity off the title company's premises whether the function is self-promotional or not.

5. WAC 284-29-260(2) states a title company must not sponsor, subsidize, supply prizes or labor, or otherwise give things of value for promotional activities of producers.

6. RCW 48.17.530(1)(b) states that the Insurance Commissioner may place on probation, suspend, revoke, or refuse to issue or renew a title insurance agent's license or may levy a civil penalty in accordance with RCW 48.17.560 for violating any insurance laws, or violating any rule, subpoena, or order of the Insurance Commissioner or of another state's insurance commissioner. By providing a lunch for employees of Windermere Real Estate at the Windermere office location in the Tri Cities area, the Licensee violated RCW 48.17.530(1)(b), justifying the imposition of a fine.

7. RCW 48.17.560 states that after hearing or upon stipulation by the licensee, and in addition to or in lieu of the suspension, revocation, or refusal to renew any such license, the Insurance Commissioner may levy a fine upon the licensee in an amount not more than one thousand dollars.

CONSENT TO ORDER:

The Insurance Commissioner of the state of Washington and the Licensee agree that the best interest of the public will be served by entering into this Order. NOW, THEREFORE, the Licensee consents to the following in consideration of its desire to resolve this matter without further administrative or judicial proceedings. The Insurance Commissioner consents to settle

this matter in consideration of the Licensee's payment of a fine, and upon such terms and conditions as are set forth below:

1. The Licensee acknowledges its duty to comply fully with the applicable laws of the state of Washington.
2. The Licensee consents to the entry of this Order, waives any and all hearing or other procedural rights, and further administrative or judicial challenges to this Order.
3. By agreement of the parties, the Insurance Commissioner will impose a fine of \$500.00 (Five Hundred Dollars) to be paid by **September 21, 2015**.
4. The Licensee understands and agrees that any further failure to comply with the statutes and/or regulations that are the subject of this Order constitutes grounds for further penalties, which may be imposed in direct response to further violations.
5. This Order and the violations set forth herein constitute admissible evidence that may be considered in any future action by the Insurance Commissioner involving the Licensee. However, the facts of this Order, and any provision, finding or conclusion contained herein does not, and is not intended to, determine any factual or legal issue or have any preclusive or collateral estoppel effects in any lawsuit by any party other than the Insurance Commissioner.

EXECUTED this 27th day of August, 2015.

Cascade Title Company of Benton Franklin Counties

Signature: Kevin J. Schreiner

PRINTED NAME: Kevin J. Schreiner

AGREED ORDER:

Pursuant to the foregoing factual Basis and Consent to Order, the Insurance Commissioner of the state of Washington hereby Orders as follows:

1. The Licensee shall pay a fine in the amount of \$500.00 (Five Hundred Dollars), receipt of which is hereby acknowledged by the Insurance Commissioner.

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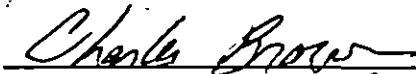
2. This Order and the violations set forth herein constitute admissible evidence that may be considered in any future action by the Insurance Commissioner involving the Licensee. However, the facts of this Order, and any provision, finding or conclusion contained herein does not, and is not intended to, determine any factual or legal issue or have any preclusive or collateral estoppel effects in any lawsuit by any party other than the Insurance Commissioner.

Entered at Tumwater, Washington, this 31st day of August 2015.



MIKE KREIDLER
Insurance Commissioner

By and through his designee



MARCIA G. STICKLER *By Charles Brown*
Insurance Enforcement Specialist
Legal Affairs Division